

MINUTES

COUNCIL ADMINISTRATOR FORM OF GOVERNMENT FOR AIKEN COUNTY

COUNCIL CHAMBERS, 736 RICHLAND AVENUE, W., AIKEN, S. C.

REGULAR MEETING – AUGUST 17, 2004 – 7:00 P. M.

(A) CALL TO ORDER

Determining that a quorum was present, Chairman Young called the meeting to order.

Council Members present:

Chairman Ronnie Young
Kathy Rawls
Scott Singer
LaWana McKenzie
Chuck Smith
Eddie Butler
Charles Barton
Rick Osbon
Willar H. Hightower, Jr.

Also present:

J. Clay Killian, County Administrator
Robert M. Bell, County Attorney
Tamara Sullivan, Council Clerk

(B) INVOCATION

Councilman Hightower led in the invocation.

(C) PLEDGE OF ALLEGIANCE

Councilman Osbon led in the Pledge of Allegiance.

(D) APPROVAL OF MINUTES

1. July 20, 2004 Worksession
 2. July 20, 2004 Regular Meeting
- a. Councilwoman McKenzie made a motion to approve the minutes. Councilman Butler seconded.
 - b. The minutes were approved by unanimous vote.

(E) APPROVAL OF AGENDA

- a. Councilwoman McKenzie made a motion to amend and approve the agenda as follows:
 1. Add Consent Item 17a – Proposed Resolution To Waive Certain Sign Limits for a Free Standing Sign for Kit & Caboodles Located at 510 Edgefield Road, North Augusta.
 2. Add Consent Item 20 – Proposed Ordinance To Levy and Reimpose a One Percent Sales and Use Tax, Subject to a Referendum, Within Aiken County Pursuant to the Capital Project Sales Tax Act, S.C. Code Ann. Section 4-10-300, et seq.; to Define the Specific Purpose or Purposes and Designate the Projects for Which the Proceeds of Such Tax May

Be Used; to Provide the Maximum Cost of the Projects or Facilities Funded from the Proceeds of Such Tax and the Maximum Amount of Net Proceeds to be Raised by Such Tax; to Provide for a County-Wide Referendum and to Prescribe the Contents of the Ballot Question in Such Referendum; to Provide Conditions Precedent to the Imposition of Such Tax and Condition or Restrictions on the Use of Such Tax Revenue; to Establish a Formula by Which Multiple Projects are Funded Simultaneously; to Provide for the Conduct of Such Referendum by the Registration and Election Commission of Aiken County, to Provide for the Administration of Such Tax, if Approved; to Provide for the Payment of Such Tax; and to Provide for Other Matters Relating Thereto.

3. Delete Public Presentations Item 1.

b. Councilman Butler seconded the motion. The amended agenda was approved by unanimous vote.

(F) PUBLIC HEARINGS

1. Proposed Ordinance to Amend the Aiken County Code of Ordinances to Change the Salary of the Council Chairman.

a. Ms. Frances Bell, Aiken County Tax Payers Association, voiced her opposition to an increase in the Chairman's salary.

b. Mr. Phil Napier voiced his opposition to the increase and questioned the validity of the mileage that the Chairman had submitted for the year.

c. Several Councilmembers spoke in favor of the increase, stating that the Chairman's position carried a much heavier work load because that position represented the entire County rather than just one district. The Chairman is also required to serve on numerous Boards and Commission.

2. Proposed Resolution to Authorize the Council Chairman to Execute Sale Documents for the Transfer of Tax Parcel 00-038.0-02-094 from Aiken County to Mr. Carl Cheek.

a. No comments were made.

(G) OLD BUSINESS

1. Proposed Ordinance to Establish a Local Three Percent Tax on Accommodations in Aiken County.
(County Council)

a. Councilman Smith moved for the adoption of the Ordinance. Councilman Osbon seconded.

b. Councilman Smith made a motion to waive the rules in order to allow the members of the public to speak. Councilman Singer seconded the motion.

c. The motion to waive the rules passed by majority vote with Councilwoman Rawls, Councilman Singer, Councilwoman McKenzie, Councilman Smith, Councilman Barton, Councilman Osbon, Councilman Hightower and the Chairman voting in favor. Councilman Butler voted in opposition.

- d. Ms. Jan Walbring, County resident, voiced her opposition to the proposed Ordinance stating that a project within the City limits should not be funded with taxes generated in the unincorporated areas of the County.
- e. Councilman Smith discussed his opposition to passing a tax for special interest projects, stating that the Council should be concerned with core services and quality of life issues for County citizens.
- f. Councilman Barton clarified that the proceeds from the proposed Accommodations Tax had not been specified for any specific project.
- g. Councilman Singer reiterated that the funds from the Accommodations Tax had not been earmarked for any specific project and added that the Accommodations Tax funds could be used to fund infrastructure projects that would attract new businesses and jobs.
- h. Councilman Hightower commented that the funds would be used to benefit the quality of life throughout Aiken County and pointed out that the City of Aiken and the City of North Augusta both have a three percent accommodations tax in place.
- i. The Three Percent Accommodations Tax Ordinance passed by majority vote with Councilwoman Rawls, Councilman Singer, Councilwoman McKenzie, Councilman Butler, Councilman Barton, Councilman Osbon, Councilman Hightower and the Chairman voting in favor. Councilman Smith voted in opposition.

(H) CONSENT AGENDA/INTRODUCTION OF ORDINANCES FOR FIRST READING

I. REGULAR CONSENT AGENDA

1. Proposed Resolution to Appoint One Member to Designated Boards, Commissions and Committees with Terms of the Appointees to Run Concurrent with that of the Councilmember from Districts 1, 2, 3, 4, 5, 6, and 7.
(Rawls, Singer, McKenzie, Smith, Butler, Barton, Osbon)
2. Proposed Resolution to Make Two Appointments to the Lower Savannah Technical Advisory Committee.
(County Council)
3. Proposed Resolution to Approve the Allocation of Funds for Various Non Profit Agencies from the FY 2005 Council Contingency Fund.
(County Council)
4. Proposed Resolution to Direct that Speed Limit Signs and Advisory Speed Limit Signs be Erected on Crooked Creek Road (C-711) Located in Council District 1.
(Rawls)
5. Proposed Resolution to Authorize the Council Chairman to Enter into an Agreement with JCI Jones Chemicals, Inc. for Chlorine and Sulfur Dioxide.
(Development Committee)
6. Proposed Resolution to Authorize the Council Chairman to Enter into an Agreement with Baird & Company, CPAs, LLC for the County Financial Audit.
(Administrative Committee)

7. Proposed Resolution to Direct that Speed Limit Signs be Erected on Old Tory Trail (C-777) and Union Hill Road (C-897) Located in Council District 1.
(Rawls)
8. Proposed Resolution to Waive Certain Sign Limits for a Free Standing Sign for SubAir Systems LLC Located at 510 Bettis Academy Road, Graniteville, SC.
(Development Committee)
9. Proposed Resolution to Waive Certain Sign Limits for a Free Standing Sign for the CVS Pharmacy Located at 16 Belvedere Road, Clearwater, SC.
(Development Committee)
10. Proposed Resolution to Authorize the Council Chairman to Execute Sale Documents for the Transfer of Tax Parcel 00-038.0-02-094 from Aiken County to Mr. Carl Cheek.
(Development Committee)
11. Proposed Resolution to Pay All County Development Fees Associated with the Erection of a Metal Building for the Beech Island Historical Society from the Council Discretionary Fund.
(Development Committee)
12. Proposed Resolution to Authorize the Council Chairman to Execute a Renewal Contract with Arthur J Gallagher & Company for Risk Control Services for Aiken County.
(Administrative Committee)
13. Proposed Resolution to Authorize the Council Chairman to Enter into an Agreement with Central Poly Corporations, Calico Industries Inc, Southeastern Paper, Kamo Manufacturing Company, Fulton Supply, S & S Distributing Company, and Williams Marketing for Janitorial Supplies on Contract.
(Administrative Committee)
14. Proposed Resolution to Authorize the Addition of One Vehicle to the Sheriff's Fleet for a New Vehicle Provided Under the Homeland Security Grant.
(Judicial and Public Safety Committee)
15. Proposed Resolution to Authorize the Acceptance of Johnson, Laschober & Associates, PC, of Augusta, GA, as the Design Engineer for the Next 1.70 Miles (Day Road) of the Sales Tax Program.
(Development Committee)
16. Proposed Resolution to Authorize the Council Chairman to Execute Agreements with the State of South Carolina Department of Transportation to Exchange Certain County Roads for State Roads for Maintenance.
(Development Committee)
17. Proposed Ordinance to Amend the Aiken County Code of Ordinances to Change the Salary of the Council Chairman.
(County Council) (Second Reading)
- 17a. Proposed Resolution To Waive Certain Sign Limits for a Free Standing Sign for Kit & Caboodles Located at 510 Edgefield Road, North Augusta.
(ADDITION)

II. CONSENT AGENDA/INTRODUCTION OF ORDINANCES FOR FIRST READING

18. Proposed Ordinance to Amend Ordinance 04-6-11, the FY 2005 County Operating Budget to Correct the Fire Fees Charged for the GVW Fire Department.
(County Council)
19. Proposed Ordinance to Provide for the Issuance and Sale of Not Exceeding \$9,000,000 General Obligation Bonds of 2004 of Aiken County, South Carolina, to Prescribe the Purposes for Which the Proceeds Shall be Expended, to Provide for the Payment Thereof, and Other Matters Relating Thereto.
(County Council)
20. **MOVED TO NEW BUSINESS ITEM 1**
 - a. Councilman Butler requested that Consent Item 20 be moved to New Business Item 1. With that request and a notation that he would abstain from the vote on Consent Item 3, Councilman Butler made a motion to approve the Consent Agenda.
 - b. Councilwoman McKenzie seconded the motion.
 - c. Chairman Young stated that he would abstain from the vote on Consent Item 17.
 - d. The Consent Agenda was approved by unanimous vote with Councilman Butler abstaining on Consent Item 3 and Chairman Young abstaining on Consent Item 17.

(I) NEW BUSINESS

1. Proposed Ordinance To Levy and Reimpose a One Percent Sales and Use Tax, Subject to a Referendum, Within Aiken County Pursuant to the Capital Project Sales Tax Act, S.C. Code Ann. Section 4-10-300, et seq.; to Define the Specific Purpose or Purposes and Designate the Projects for Which the Proceeds of Such Tax May Be Used; to Provide the Maximum Cost of the Projects or Facilities Funded from the Proceeds of Such Tax and the Maximum Amount of Net Proceeds to be Raised by Such Tax; to Provide for a County-Wide Referendum and to Prescribe the Contents of the Ballot Question in Such Referendum; to Provide Conditions Precedent to the Imposition of Such Tax and Condition or Restrictions on the Use of Such Tax Revenue; to Establish a Formula by Which Multiple Projects are Funded Simultaneously; to Provide for the Conduct of Such Referendum by the Registration and Election Commission of Aiken County, to Provide for the Administration of Such Tax, if Approved; to Provide for the Payment of Such Tax; and to Provide for Other Matters Relating Thereto.
(AT COUNCILMAN HIGHTOWER'S REQUEST, THE FOLLOWING PORTION OF THE MINUTES HAS BEEN DONE IN VERBATIM FORMAT)

Chairman Young – Alright, New Business, Mr. Butler.

Councilman Butler – I rather defer to Councilman Hightower on New Business on this Ordinance if possible.

Chairman Young – Mr. Hightower, number twenty.

Councilman Hightower – Yes sir. Mr. Chairman I would like to move that the Ordinance having to do with the one cent local option sales tax be amended and I have passed out copy of the amendment that I'm proposing to each Councilperson in Worksession. Essentially, in summary, the six things that this amendment does is one, it changes the amount of money from roads from fifteen point nine million dollars to seventeen point four million dollars. Ah, number two, it uses the road funds on the basis of percent of roads in each district and the additional roads are also are, are distributed funds are distributed on the basis of the number of roads. Number four, it deletes the regional recreation park. Number five, it deletes the Childs Advocacy Center and number six it adds recreation monies for the north side of the unincorporated area of Aiken, the City of Aiken. Uh, Mr. Chairman I would like to move that this amendment be adopted on first reading.

Councilman Osbon – Second.

Chairman Young – Okay. Is there any discussion? Mr. Butler?

Councilman Butler – Mr. Chairman. Mr. Chairman, I'm going to have to respectfully disagree with with with this proposal for a number of reasons. Um, first of all we had a committee that was selected by this Council, that was supposed to be representative of this Council, that spent a considerable amount of time trying to negotiate a plan that was, that compromised the interests of everyone to some degree but but also shared the wealth if you will. And we worked diligently, and we met time and time again, we reached a point to where we weren't totally comfortable with some of the decisions that we were making and we asked that all of Council get involved at that time. And we met with the whole of Council um, at least two or three occasions that I'm sure of. Ah, we brought outlines, we we voted these outlines up and down, we we worked diligently until we till we got down to areas of concern and we massaged, and we massaged, and we massaged this document until we, I was to the point that I thought that we were giving information on our behalf to the Commission who ultimately had the authority to write this, that we had given them a good general direction of what the wishes of this body were. Now, I certainly would have been willing if Council had asked me to to just author this myself from the beginning, I could have done a real good job. Um, but I don't know that it would have been fair and equitable to the other eight members. Um, we had to take a holistic approach, we had to all work, and I feel like we did that and however flawed it may be, when you try to divide up those large sums of monies and you're trying to appease every facet of this county it is an arduous task I can assure you. I mean if you're doing dirt roads, the people on paved roads don't get any benefits from that. If you're doing things in the cities, well the people in the county don't get any...and it just goes on and on and on. It doesn't matter where you spend a dollar that dollar can't possibly benefit everybody and we worked though this process and I thought we had come up with a good document. What's been proposed here tonight I haven't had a chance to read, first of all, second of all it's my understanding that the ballots are already printed. Third, I'm not, it's not my position to comment legally, but from everything I've been told we can't, we can't go in and take out individual projects that the Commission that we appointed, the six member Commission, have have put in. So I think there are legal issues but even with those aside without the legal issues, I still would not support these changes. Because we as a group have not had a chance to hammer them out and I I had hoped by now we would be at a point, this body would be one hundred percent behind this and united because I've said this before and I'll say it the last time, I sound like a broken record, I've sat here for many of years and we've never had the monies for capital projects. We, you can look around, look around at our humble beginnings right here where you sit right now. I would challenge you to go to the chambers of the City of North Augusta, the City of Aiken, the School Board, Richmond County Commission, Columbia County Commission and see how many of them look like this. Most of them have mahogany desks, high backed chairs, nice PA systems. Um, the chairs in our other room are falling apart. You know, we're not, we're usually pretty conservative with the monies. And we've sat here year in and year out, we never paved roads. We had a thousand miles worth of dirt roads. The local option sales tax gave us the ability to do some projects that people had been asking us to do for years and years and our

standard answer was “Nope, we’re not raising taxes. We don’t have the money, we don’t have the money, we don’t have the money.” In the last the last sales tax issue, I can go around the County, and in every area, I think everybody sitting here represents an area that has had roads paved. We’ve paved more roads in this County than the State has in the last five years. The State’s reducing the amount of roads they pave and we’re increasing. And those monies are coming from the local option sales tax. Without it, we’re out of the road paving business. If you have a dirt road, forget it. It’s going to be thirty, forty years because the State’s down to a trickle. And they don’t pave County roads, they’ve cut us off. So they’ve left us to fend for ourselves and quite, quite honestly, I think we’ve done, we’ve done well with the local option sales tax money. Bobby Jones Expressway would have never happened had it not been for the local option sales tax. Every, all the major projects around the State had been, had been enacted, were going forward except for ours. Why? We had no local match. Why? Because we had no money. And we wouldn’t, we wouldn’t raise the money. But the local option sales tax allowed us to do that. And I would challenge you to look through this list, between recreation, between roads, other capital projects, there’s something in this list for everybody. Um, and if you, if you want to see this County, you know we have to grow and we can continue to run it without capital projects, I mean we can just go on hold. I was here for ten years while we did it. We never paved a road for ten years. Um, it didn’t kill us but we certainly got a lot, a lot of positive feedback where we’ve been able to go in and pave roads that school buses can’t get down. So, with all that said, going back to the original document or the ordinance that Councilman Hightower has proposed, I’m of the opinion that the document that we have currently is the result of a lot of give and take among all the members of this body and I’m comfortable with it and for that reason I’m not going to vote for this ordinance.

Councilman Smith - Mr. Chairman I want to echo Mr. Butler’s comments. There was a tremendous amount of compromise that went into, to forming this one cent sales tax and I tell ya, I think everybody in this room’s going to benefit from it. People are going to have ambulance services that they didn’t have before, we’re going to have police cars that operate properly that don’t have a hundred and twenty thousand miles on them. We’re going to put roads in place and we’re going to help the cities and the small municipalities um put things in place that they never would have had before. So I want to echo Mr. Butler’s comments. I also want to remind everybody that uh you know at the last vote, the last up or down on this on this particular issue, it was my opinion that you know that we could not change the Commission’s recommendation to us, that we either had to vote it up or down. And we had uh vote of the majority that voted to go forward with this and put it on the ballot and so I find it hard to support Mr. Hightower as well.

Chairman Young – Anyone else? Mr. Hightower.

Councilman Hightower – Yes sir Mr. Chairman, I I have a a few things here I would like to just say. Uh, reason why I proposed this uh, as we went through the process in dealing with how we would uh uh uh use the funds that we saw that could be available as a result of having a one cent local option sales tax, which you might look at it as an extension of the one that we have, ah we sort of the group sort of first said well lets look at broad categories. Let’s look at how much maybe we ought to have for paving of roads and how much we ought to have for recreation areas. Broad categories like that. Ah and there was sort of a consensus of what that should have been. Ah then we went through the process of trying to put on in into those broad categories some items that Councilpersons wanted. And every Councilperson sitting here except me got an item on in the once cent local option sales tax they, that they have a burning desire that they want it to pass. I do not have one item in this one cent local option sales tax that I have a burning desire for to the extent that I want to ah impose a one cent sales tax on everybody in in in Aiken County on some of the goods that they consume. Ah some reason, I just don’t know why, I got straw voted out of every issue that I offered to put on this one cent local option sales tax. I asked for some recreation to fill some recreation needs on the north side of town and I was presented a list that I have more recreation parks in the uh in my district than in any other district. But the person failed to tell you that well most of those recreation parks and things are funded by the City of

Aiken that just happen to be part of my district. Walk outside the City limits and what what do you find? You know you just don't find the kind recreation, quality of recreation facilities that you would find in the City. So people in the County have to go to the City and pay extra money to participate in the City's facilities. And that's just not right, to me that's just not right. Ah, I think the people in the County have recreation needs and they need to be dealt with also and it's not the City's responsibility to deal with that it's our responsibility. And I would like to see us deal with that. Ah, I presented a what I thought was a fair and equitable system to County Council that they might use in order to distribute the funds. I gave you a sheet that was laid out and and and several Councilmembers said "Yeah it looks good, that that's something that you might be able to do. But it's too late in the process to do that." Ah, we hadn't passed a thing, I I never did understand why it was too late. Wasn't too late then, not too late now. We don't have to vote on this one cent local option sales tax in November of 2004. There are some more years after that, 2005, 2006, 2007, 2008, and we ought to consider moving it down to that point. If we can still have a vote on the one cent local option sales tax such that we continue the one cent that we collect from taxes that we collect from people and do that in time that we might continue that process and not have to change. That is that is that is something that can be done. I am proposing this amendment as a first reading. It is in our policy that on first reading it is generally accepted of an ordinance that it be accepted for title and that we get the contents later. But Council chooses to pull this item off of first reading and look at it and talk bad about it ah which is against the policy that County Council has placed it has put in place. Okay, ah I emailed to each Councilperson, except one, a copy of everything that I proposed and that they have in this in this ah amendment that I have right here that I passed out to them in in Worksession. I emailed it to everybody weeks ago and we've had plenty of time to ah ah plenty of time to call a meeting and deal with this issue and send it back to the ah ah committee and for their consideration and deal with it in a manner that would be fair and equitable to the people in District 8. Ah for some reason we chose not to do that, I got this modification yesterday. In fact I got it today. Ah and ah so ah that's not my fault that the staff took this took this time long of time to generate this thing. You know could very well have been generated well before, well before the deadline. Ah the other thing I'd like to say about what has gone on is that for some reason when we got, started talking about the second one cent local option sales tax it was almost like shark after fish in the water. All kind of dream things were brought up to go in this one cent local option sales tax which was very different from what we did with the first one cent local option sales tax which we have in place right now. We didn't have economic development in our one cent current one cent local option sales tax. We had things that were things that you could feel, things you could see, things that you could taste. Those were the kind of things that we had in the first one cent local option sales tax. And we have varied tremendously from that philosophy to where we find ourselves in the second one. We have at least I mean I looked in there and I saw one project in there where they were going to put twenty or thirty thousand dollar worth of bathrooms for people to go to in a recreation park that's not in my district, that's not in my ah ah not in the county portion of my district. And ah you know there's just a lot of fat fat things that really don't need to be there in this one cent local option. It does not have to be one cent local option sales tax. It could be one tenth percent, it could be two tenths, it could be three tenths, it could be four tenths, it could be nine tenths, it could be one cent, it could be one point one cent, it could be one point two cents no more than two percent. So it could be a lot of things but we chose one cent cause that sounds good you know and ah one penny doesn't sound too bad, two pennies sound worse than one penny, so ah we chose that and ah that's fine. But we ought to have tangible items in this one cent local option sales tax. We should not be foolishly spending money and thinking, dreaming about things that we might do and put it in this one cent local option sales tax. And the other issue is since we have not completed paving the roads for the first one cent local option sales tax, I don't know why the citizens would vote that we get some more to pave some more roads when we haven't finished with the ones that we already have on the table. And that's what the citizens tell me when I go out and talk to them and their roads were on the first list and now we're talking about a second one and we haven't finished the first one and they tell me they're not going to vote for it and I do not blame them because we haven't done on the first one what we said we we haven't finished doing on the first one what we said and so I don't know why

someone would vote to give us another shot at doing something that we have not proven that we were going to do the first time. Ah the other item ah ah that I ah wanted to say ah that no, it was a no compromise position that many Councilmen took on items that I felt were important to the people in my district. Grant you there are a lot of items on there that help a lot of people. About, I would say, about fifty million dollars worth of items that are on there that really directly affect people and is good for infrastructure. It is not the Cadillac but it is the Ford or the Chevrolet. And those are the kind of items that we ought to be funding out of this one cent local option sales tax and we should not be looking for Cadillac and Mercedes Benz and Rolls Royces and all of this kind of stuff. Now I'm not suggesting that the amendments that I'm proposing will do all that but I'm willing to take a compromise position if Council would allow me to take a compromise position and consider changing those items that I have indicated in here so that I would feel like that we are closer to being fair than what we are now. I'm finished.

Councilman Singer – Mr. Chairman. If I might I'd like to to make a few comments. First off I would seriously ah hate if ah this group walked away tonight thinking that Council in any shape form or fashion had not fulfilled its commitments or will not be fulfilling its commitments to the taxpayers vis-a-vis the first capital projects sales tax referendum. For the record just let me state that I was not a member of Council at that point and time so I'm not trying to make myself look good in the following comments, I'm trying to protect the integrity of this body. Mr. Killian, if you might and I hate to put you on the spot on this but we talked at length at the last Council meeting, I think it might have been Development Committee, with respect to the progress of the roads construction, ah can you just give us in broad terms ah where we stand, I mean I think I can kick it off by by saying that that we received a report that showed that all the roads will be paved, they will be paved in accordance with the referendum that was previously adopted by the taxpayers. Ah, that we realized that we had insufficient funds to pave all those roads, utilizing just those capital projects sales tax dollars, and this Council voted unanimously to find the funding elsewhere to insure that we fulfilled our commitment. But just in general terms could you, and then I and then I have a few more comments to make.

Mr. Killian – Sure. Um, the way we originally uh scheduled the construction of those roads is a seven year program as far as the maximum amount of time the tax would be in place. And we, we designed a construction schedule to fit into the seven or eight year schedule. Based on that we are actually ahead of schedule, um trying to get those roads done. Now we've had some challenges with right of way acquisition and that kind of thing. But Council has committed to fund all of those roads in some fashion. We do believe we're going to have enough funding coming in from the sales tax to have all of the roads designed and engineered so that when the construction dollars are able to be identified we can we can construct immediately. That's our, that's our, that's the staff plan right now. We're actually um waiting on what we know will be final roads that we will not get because of of um lack of right of way in order to try to determine what our final amount of money we're going to need to finish the construction for those that we can get right of way. Um, but Council has committed to finishing all those roads. We're actually a little bit ahead of schedule. Ah we get them all designed, identify funding for roads we do get right of way for, we can finish those fairly quickly.

Councilman Singer – Bottom line, bottom line is Council's going to fulfill its commitment to the taxpayers of Aiken County. Ah the second point, talking about a term "burning desire for an item on the list", well I don't think that this is an ideal list. I echo Mr. Butler's comments because I'm not the one who drew up the hundred million dollars worth of projects. If I drew it up I certainly would like every item on this list. But I, I just happened to just flip to a page at random to see what items were on the list to talk about some pork, and I just happened to flip to a page that talks about two hundred fifty one thousand five hundred dollars for the following projects within the Town of Wagener which is not in my district, its in Mrs. Rawls district. And I would like to just briefly read just a couple of the items on that list, I won't take too much of your time. A hundred thirty seven thousand five hundred to replace or repair town sidewalk as needed, fifty thousand, fifty seven thousand to replace town water line for Highway 39 to South Busbee Street and

Highway 302, fourteen thousand five hundred to purchase a camera system to inspect town sewer lines, twelve thousand five hundred to purchase a new radio system for the town police department, fifteen thousand dollars to pave the driveway for the fire department, fifteen thousand dollars to purchase new reporting software for the town police department. Those are the types of projects that we're funding with this capital projects sales tax dollars. Does this benefit the folks that live in my district per se, absolutely not. Is this good for Aiken County? Of course it is. Thank you.

Councilman Hightower – Yes sir Mr. Chairman, I'd just like to comment to ah ah what Mr. Killian has said. And want to clarify it really, I'm not disagreeing with what he said. And what he said was that all of the roads would be engineered and prepared ready for paving when the money becomes available. Which means that, that's a slick way of saying that there ain't enough money in the first one cent local option sales tax to pave all those roads. Now, now that's the truth of the matter. Now ah ah here again I just wish that Council would talk straight talk to people so they can understand what's going on so they can make informed decisions. Please. I'm finished.

Councilman Singer – Just ah, I have I have to comment. Bottom line, Mr. Killian, will this Council fund the completion of all the roads unless right of way was not obtained, in the first capital projects sales tax?

Mr. Killian – That's my understanding, yes sir.

Councilman Singer – That's correct.

Councilman Butler – Mr. Chairman? I I would like to state that the reason we have a shortfall is the one cent sales tax did not raise quite as much money as we had anticipated. Is that a fair statement?

Mr. Killian – No sir, it's going to raise the money you anticipated. You under estimated, there was under estimation in planning toward the amount of road that it would pave.

Councilman Butler – So, so we had a, had a shortfall.

Mr. Killian – Correct.

Councilman Butler – And this Council came together and agreed that we would not put those roads back on a second list because the citizens had already, were already entitled to have those roads paved. And it would be unnecessary duplication if we brought you back the same roads that we'd already raised the money for, that wouldn't be right. And this body voted unanimously to fulfill our responsibility and to do exactly what we said we were going to do. We went out with a list and we said come heck or high water, we were going to finish that list. Period. And and if anybody on this body disagrees or anybody has had a change of heart, I haven't been made aware of it. We have always stuck by, stuck by the position that we would do exactly what we said we would do regardless of how the funds came in. So if there's if there's not enough money to pave one road, ten roads, or twenty roads, it is our anticipation to pave all twenty of them. And I don't plan on changing from that.

Councilman Smith – Mr. Chairman, I call for the question.

Councilman Hightower – If we stayed with the ah ah issue. The issue is simply this, we have not done what we said we were going to do and we are asking them to allow us to do it again. As we speak and as they vote.

Chairman Young – Okay, I’ve had a call for the question. We’ll vote. All those in favor raise your right hand.

Councilman Butler – In favor? Okay, I’m sorry.

Chairman Young – In favor. Okay, Mr. Hightower. Those opposed? Mrs. Rawls, Mr. Singer, Mrs. McKenzie, Mr. Smith, Mr. Butler, Mr. Barton, Mr. Osbon and the Chair opposed.

Councilman Hightower – Mr. Chairman? I would just request that when we come back with our next minutes that the entire discussion on this issue be expanded in verbatim in the minutes.

(J) PUBLIC PRESENTATIONS

1. Presentation Regarding the Coca Cola Kids Camp
(Mr. Brian Sanders, Director, PRT)

- a. **DELETED**

(K) ITEMS FOR INFORMATION AND THE PUBLIC RECORD

1. Fiscal Year 2005 Aiken County Contingency Report as of July 21, 2004.

(L) INFORMAL MEETING OF WHOLE

- a. Mr. Franklin Jackson asked for an update on the ban on burning at night.

Councilwoman McKenzie stated that she had requested staff to formulate a proposal for the Judicial and Public Safety Committee to review.

- b. In reference to Hedge Road, Councilman Hightower stated that Public Works would be inspecting and providing the necessary maintenance for that road very soon.

Chairman Young stated that he had discussed Hedge Road with the members of the County Transportation Committee, and that they were going to address that road.

- c. Councilman Singer made a motion to recess for Executive Session. Councilman Butler seconded.
- d. The motion to recess passed by unanimous vote.

RECESSED – 8:25 P. M.

(M) EXECUTIVE SESSION

1. Legal Matters:
 - a. Status Report on Pending Litigation, Legal Claims and Legal Advice.
(County Attorney) (Verbal)
2. Contractual Matters:
3. Personnel Matters:

RECONVENED – 12:23 A. M.

- a. Councilwoman McKenzie made a Voice Motion to authorize the Public Defender Board to offer a salary not to exceed \$60,000 to fill the Public Defenders position and to have that position reviewed by the Archer Study. Councilman Smith seconded the motion.
- b. The Voice Motion was approved by unanimous vote.
- c. Councilwoman McKenzie made a motion to adjourn the meeting. Councilman Smith seconded.
- d. The motion to adjourn passed by unanimous vote.

(N) ADJOURNMENT – 12:24 P. M.

Respectfully submitted,

SIGNED:

Tamara Sullivan, Council Clerk

Ronnie Young, Chairman